

**FORMAL MEETING AGENDA**  
**BOARD OF SUPERVISORS**  
(and the Boards of Directors of the Flood Control District, Library District,  
Stadium District, Improvement Districts, and/or Board of Deposit)  
**WEDNESDAY, MARCH 21, 2007**  
**9:00 AM**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

*One or more members may attend telephonically.  
Members attending telephonically will be announced at the meeting.*

**The Board may vote to recess into an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. §38-431.03(A)(3).**

**PRESENTATIONS**

1. Video Presentation of the Ninth Annual San Tan Community Clean-up Event sponsored by Maricopa County, Pinal County, Town of Queen Creek, and the San Tan PRIDE Association. (ADM650)
2. Recognition of Timothy Overton, Deputy Chief, Maricopa County Sheriff's Office, in his appointment as President of the FBI National Academy. (ADM650)

**STATUTORY HEARINGS**

**Clerk of the Board**

**3. LIQUOR LICENSE APPLICATIONS**

Pursuant to A.R.S. §4-201, this is the time scheduled for a public hearing on the applications for liquor licenses. At this hearing, the Board of Supervisors will determine the recommendation to the State Liquor Board as to whether the State Liquor Board should grant or deny the license.

- a. Application filed by Luis Ibarra for a Special Event Liquor License: (F23221) (SELL774)

Business Name:	Friendly House
Location:	7611 S. 29 <sup>th</sup> Avenue, Laveen, AZ 85339-1862
Date/Time:	March 23, 2007; 4:30 pm – 9:00 pm

- b. Application filed by Terry F. Ray for a Permanent Extension of Premises/Patio Permit: (ADM664-94)

Business Name: The Spurr Lounge  
Location: 5535 W Baseline Road, Laveen AZ 85339

- c. Application filed by Lloyd Earl Banning Jr. for a new Series 12 Liquor License: (LL6219)

Business Name: Duners Pizza  
Location: 7707 SW Hwy 85 #133, Buckeye AZ 85326

- d. Application filed by Christine Joan Vertin for an Original Series 10 Liquor License: (LL6218) **(Continued from 2/21/07)**

Business Name: South West Feed  
Location: 18802 West Hwy 85

**4. MEDICAL EXAMINER FEES**

This is the time scheduled for a public hearing to solicit comments and consider the implementation of a new fee schedule and adjustment to existing fees, and to accept the proposed fees. Office of the Medical Examiner (OME) fees include autopsies, external examinations, cremation authorizations, specimen & histology processing, body bags, expert testimony, medical education and administrative processing fees. No fee will exceed the actual cost of the product or service provided. OME is not requesting an expenditure budget increase. Increased revenues are a direct offset to operating expense and cost recovery. These fees will become effective April 1, 2007. (C2907006800) (ADM2173)

## **AGENCY ITEMS AND STATUTORY MATTERS**

### **ELECTED OFFICIALS**

**Clerk of the Board**

**5. RESCIND ACTION RELATED TO EAGLETAIL WATER COMPANY FRANCHISE**

Pursuant to A.R.S. §40-283, rescind the action of August 18, 2004, which approved the Eagletail Water Company, LLC, for a domestic water distribution system. Under the terms of the Resolution granted by this approval, Item Number 11:

This franchise is granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona and proof thereof submitted to the Board of Supervisors within six months from the date of granting of this franchise; and if such Certificate is not granted within six months from said date, then this franchise to be void, otherwise to be in full force and effect for the time herein specified.

Due to non-compliance of this item, this franchise is deemed void and the action to approve this franchise is rescinded, effective March 21, 2007. (C0607068700) (F23153)

**Board of Supervisors – Internal Audit**

**6. ADJUST COUNTY AUDITOR'S FISCAL YEAR 2007 AUDIT PLAN**

Adjust the FY 2006-07 Annual Audit Plan to align with available audit resources. An extremely competitive job market for accounting/auditing personnel has resulted in significant recruitment challenges in FY 2006-07. Department vacancy rates far exceed normal levels. All High-Risk Audits will be completed as scheduled. Delete the following Medium-Risk Audits: Countywide Leases, Justice Court Services, Jail Management System. Delete the following Low-Risk Audits: County Manager's Office, Clerk of the Board, General Government. Managing for Results information. Audit work and deliverables for the remainder of FY 2006-07 will align more closely with available audit resources. (C2307002000) (ADM2600)

**County Attorney**

**7. AMENDMENT TO IGA FOR CHILDREN YOUTH & FAMILIES DIVISION FOR SUBSTANCE ABUSE**

Approve Amendment No. 1 to the intergovernmental agreement (IGA) between the State of Arizona, Governor's Office for Children, Youth, and Families, Division for Substance Abuse Policy and the Maricopa County Attorney's Office for \$20,000 (total) in state funds to support prevention and education activities related to the impact and consequences of methamphetamine use and production in local communities. This agreement commenced January 23, 2006 and expired December 30, 2006. Approval of this amendment will extend the termination of the agreement until March 31, 2007, and allow the Maricopa County Attorney's Office to complete a strategic plan for the implementation of environmental prevention strategies to combat methamphetamine use and production within Maricopa County. The financial impact for FY 2006-07 is unchanged (\$11,000) and was included in the County Attorney (190) Grant Fund (219) adopted budget. (C1906036201)

**8. APPEAL TAX COURT JUDGMENT IN SAFEWAY V. MARICOPA COUNTY**

Authorize appeal from the Tax Court judgment in Safeway v. Maricopa County, No. TX2002-000132. The Arizona Tax Court entered judgment in Safeway v. Maricopa County, TX2002-000132 in favor of Safeway, in a case concerning the proper assessment for walk-in coolers at Safeway supermarkets. In that case, Safeway contended that the coolers had been double-taxed as both personal and real property. The County contends that the coolers were not included in the real property assessment for these stores, and that the personal property taxes should be upheld. The County seeks authorization from the Board of Supervisors to appeal the Tax Court judgment. This item was discussed in Executive Session on March 19, 2007. (C1907030000) (ADM413-001)

**Recorder**

**9. TRANSFER EXPENDITURE AUTHORITY FOR DOCUMENT REDACTION PROJECT**

Pursuant to A.R.S. §42-17106(b), approve the transfer expenditure authority between General Government (470) General Government Grant Fund (249) and Records Office (360) Records Surcharge Fund (236). This funding request is for a Document Redaction Project and is one-time in nature and fund balance will be used for this project. Costs are expected to be the following:

- Not-to-exceed \$5,067,655 for six months or for the life of the project whichever comes first.
- Include \$383,000 in the FY 2007-08 budget for the Redcap contract work force to perform Quality Control Review.

This action will require an expenditure appropriation adjustment decreasing the FY 2006-07 General Government (470) General Government Grant Fund (249) by \$5,067,655 and increasing the FY 2006-07 Records Office (360) Records Surcharge Fund (236) by \$5,067,655.

Also, direct the Office of Management and Budget to budget funds for the continuation and close-out of the project in the amount of \$383,000 in FY 2007-08. Approval of this action will allow the department to comply with the 2007 Proposed Legislative SB1169 (Amending A.R.S. §11-461, §12-1178 and §42-1118) to "redact references to social security numbers on instruments that are recorded after December 31, 1985, and that are available on the County Recorder's website. (C3607001800)

**Sheriff**

**10. ONE-TIME ADDITION TO THE FLEET**

Approve a one-time, grant-funded, addition to the fleet of a 14-foot enclosed cargo trailer associated with the acquisition of a Mobile (Bullet) Recovery System Unit that will be utilized by the Sheriff's Crime Lab. This is a temporary addition to the fleet and will be removed at the end of its useful life with no funding from the General Fund for replacement. This request is in conjunction with the Project Safe Neighborhood Grants PSN-06-1011 and PSN4-06-1015, previously approved and designated for Forensic Firearms Testing/NIBN. (C5006519301) (ADM3104)

**11. AMENDMENT TO AGREEMENT FOR PARAMEDICS AND EMERGENCY MEDICAL TECHNICIANS TRAINING**

Approve Amendment No. 1 to the previous agreement entered into between Lincoln Health Network, d.b.a. John C. Lincoln Hospital – North Mountain and Maricopa County through the Maricopa County Sheriff's Office to include the Emergency Base Station Agreement as an Addendum that will designate Lincoln as a Base Station Hospital. The Addendum and original agreement effective dates are from January 1, 2007 through December 31, 2008, and may be terminated by either party with written notice. All other terms of the affiliation agreement remain the same. (C5007042M01)

**12. ONE TIME ADDITION TO FLEET AND ISSUANCE OF DEEP UNDERCOVER REGISTRATION AND EXEMPTION FROM MARKINGS**

Approve a one time addition to fleet and the issuance of deep undercover registration and exemption from markings, including non-government license plates per A.R.S. §38-538.03 and §28-2511 for two RICO vehicles that will be used for conducting investigations into major felonies, narcotics operations, and organized crime activity throughout Maricopa County. Annual operation and maintenance costs for these vehicles are estimated to be \$10,000 and will be supported with RICO funds. No vehicle replacement cost is associated with these vehicles since it is a one-time addition to the county fleet and will automatically be removed from Maricopa County Sheriff's Office fleet when they are no longer useful. (C5007061M00) (ADM3301V)

**13. DONATION**

Approve the acceptance of a donation for \$449.79 to the Sheriff's Office from Valley of the Sun United Way for use by the Maricopa County Sheriff's Office Animal Safe Hospice Unit. (C5007063M00) (ADM3900)

**14. OFF-HIGHWAY VEHICLE ENFORCEMENT PROGRAM**

Approve the agreement and acceptance of \$45,000 in grant funding from the Arizona State Parks Board (ASPB), for the Off-Highway Vehicle Enforcement Program. The term of this agreement between ASPB and the Maricopa County Sheriff's Office begins the date the final signature is obtained on the document and expires December 31, 2007. These funds will be used to support costs of expanded patrol effort that could otherwise not take place. The Sheriff's indirect cost rate for FY 2006-07 is 17.8% and the unrecoverable indirect costs are estimated to be \$8,010. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditure of these revenues is not prohibited by the law. (C5007508300)

**15. NEW LAW ENFORCEMENT OR DETENTION RELATED GRANTS**

Authorize the following actions relating to Sheriff's Office grants during FY 2007-08:

Approve an exception to the Policy for Administering Grants (A2505) Section D. 1 to the Sheriff's Office for FY 2007-08 that would allow the Sheriff's Office to apply for unnamed law enforcement or detention related grants that may or may not allow indirect cost recovery. The Sheriff's Office indirect cost rate for FY 2007-08 is 17.8% (tentative). If any funds are awarded, the Sheriff's Office would return to the Board for approval of acceptance. (ADM1608)

Approve the acceptance of \$2,054,285 to the Sheriff's Grant Fund (251) for specific new law enforcement and detention program grants. The Sheriff's Office proposed indirect cost rate for FY 2007-08 is 17.8%.

Authorize the Chairman to sign all applications, resolutions, certifications, assurances, etc. that are included in the grant application process, and documents corresponding to the acceptance of awards up to amounts specified for grants that are in effect from July 1, 2007 or become effective by June 30, 2008, or when signed by both parties, whichever is later. The Sheriff's Office FY 2007-08 anticipated indirect cost rate is 17.8%. Unrecoverable indirect costs are estimated to be \$363,133 with \$2,530 being recoverable. Related cash matches, which were anticipated in the FY 2007-08 tentative budget recommendations are \$122,725. The Sheriff's Office will return to the Board for acceptance approval for new grants that are not included on the schedule, and for the annual mid-year reconciliation. (C50075413ZZ)

<b>CONTRACTOR NAME</b>	<b>CONTRACT NUMBER</b>	<b>CONTRACT AMOUNT</b>
AATA - Public Awareness	C5007542300	\$27,236
Safe Neighborhoods-Firearms Testing	C5007543300	\$24,000
DUI Abatement	C5007544300	\$75,655
Watch Your Car Program	C5007545300	\$5,000
HIDTA/JDIG	C5007546300	\$364,437
LLEBG - Parcel Unit	C5007547300	\$38,055
JAG - Neighborhood Narcotics	C5007548300	\$136,227
Neighborhood Narcotics (ACJC)	C5007549300	\$374,920
HIDTA-Native American Project	C5007550300	\$150,000
GOHS Youth Alcohol Program	C5007551300	\$40,000
GOHS East Valley DUI Task Force	C5007552300	\$80,000
Homeland Security - Sustainment funds	C5007553300	\$150,000
Residential Substance Abuse	C5007554300	\$115,978
Victim's Rights Program	C5007555300	\$140,800
State Entitlement	C5007556300	\$281,382
Part B-IDEA Entitlement	C5007557300	\$35,595
Secure Care	C5007558300	\$15,000

## **JUDICIAL BRANCH**

### **Trial Court**

#### **16. APPOINTMENTS**

- a. Approve the appointment of retired Superior Court Judge Norman D. Hall, Jr. as Superior Court Judge Pro Tempore for the period from March 23, 2007 through December 31, 2007, to serve in the various programs in the Superior Courts to reduce trial delay. (C3807019700) (ADM1001)
- b. Approve the appointment of Court Commissioner Charles Donofrio III as Superior Court Judge Pro Tempore and Pro Tempore Justice of the Peace for the period from March 21, 2007 through December 31, 2007, to serve in the various programs in the Superior Courts and Justice Courts to reduce trial delay. (C3807020700) (ADM1001)

## **COUNTY MANAGER**

### **Office of the County Manager**

#### **17. INTERGOVERNMENTAL AGREEMENT TO SUPPORT THE ARIZONA METH PROJECT**

Approve an intergovernmental agreement (IGA) with LaPaz County, transferring \$17,591 to Maricopa County to support the Arizona Meth Project. Upon approval of this intergovernmental agreement, this action will require an appropriation adjustment to Appropriated Fund Balance (480) General Fund (100) Other Programs (4812) line item titled "Meth Project," increasing the FY 2006-07 revenue and expenditure budgets by \$17,591. IGA revenues are not local revenues for the purpose of the constitutional expenditure limitation; therefore, expenditure of these revenues is not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board. (C2007045000)

#### **18. SOLE SOURCE CONTRACT FOR EVALUATION SERVICES OF AZ METH PROJECT**

Approve a sole source contract between Maricopa County and Roper/GfK for evaluation services to assess the impact of the Arizona Meth Project on Arizona's youth, young adults and their parents. A key component of this prevention initiative, these evaluation services include the collection, collation and reporting of baseline survey data and post media campaign survey data for these three target populations. Retention of Roper/GfK to provide evaluation services is a condition of the Affiliation Agreement approved on December 20, 2006, under agenda item C2007033000, between Maricopa County and Meth Project [Montana Meth Project]. Funding for this contract is derived from Maricopa County general funds, grants funds from other Arizona counties and support from the Office of the Arizona Attorney General. The professional fees for year one of the contract shall not exceed \$775,000. The contract may be terminated for convenience by the county, in whole or in part, at any time. (C2007046000)

#### **19. SETTLEMENT**

Approve settlement in: Philip Keen v. Maricopa County et. al, CV2006-008666 (pending in Maricopa County Superior Court); Philip Keen vs. County Manager's Office, WB2006-01 (pending before the Maricopa County Merit Commission). This item was discussed in Executive Session on March 19, 2007. (C2007047000)

## **DEPUTY COUNTY MANAGER**

### **Correctional Health**

#### **20. STUDENT LOAN REPAYMENT ASSISTANCE PROGRAM**

Approve the Correctional Health Services (CHS) Student Loan Repayment Assistance Program (CHS-LRAP) pursuant to A.R.S. §11-251 and the Maricopa County Compensation Plan §II to assist CHS employees who give direct patient care to repay education loans. The program will reimburse eligible CHS employees for payments on their student loans up to \$25,000 per year for physicians, physician assistants, dentists, and nurse practitioners (collectively, the "Section A Participants") and up to \$10,000 per year for all other health care professionals providing direct patient care, including registered nurses, dental hygienists and assistants, licensed practical nurses, medical assistants, correctional health care technicians, psychologists, and licensed mental health professionals, counselors and social workers (collectively, the "Section B Participants"). The program provides a maximum total benefit of \$125,000 for each Section A Participant and \$50,000 for each Section B Participant. The cost of the program is limited to the number of full time employees that the plan authorizes for each health care professional position in CHS. This program is effective July 1, 2007, for duration of available funds. (C2607008800) (ADM3308-004)

#### **21. AGREEMENT FOR EDUCATIONAL OPPORTUNITY**

Approve an affiliation agreement between Correctional Health Services and Vanguard Health System d.b.a. Baptist Health System. Approval would provide Registered Nursing students the educational opportunity to work in a supervised, clinical environment within the Maricopa County jail and detention facilities. The term of this agreement is effective from the date of Board of Supervisors' approval for a term of five years. There is no financial impact. (C2607009000)

### **Human Resources**

#### **22. PERSONNEL AGENDAS**

Approve Maricopa County (Exhibit A) and Judicial Branch (Exhibit B) Personnel Agendas.

### **Public Health**

#### **23. NOTICE OF GRANT AWARD FOR SOUTH PHOENIX HEALTHY START PROGRAM**

Approve the Notice of Grant Award from the Health Resource and Services Administration (HRSA) to the Department of Public Health's South Phoenix Healthy Start program in the amount of \$400,000 for the budget period February 1, 2007 through January 31, 2008. The Department of Public Health's indirect rate for FY 2006-07 is 18.1%. HRSA allows for only 10% indirect costs for this grant. Full indirect costs are estimated at \$65,818 of which \$36,364 is recoverable and \$29,454 is unrecoverable.

Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$68,742 for FY 2006-07, as \$97,925 has already been budgeted, and \$233,333 for FY 2007-08. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8602165213)



**24. AMENDMENT TO IGA FOR IMMUNIZATION SERVICES**

Approve Amendment No. 7 to the Intergovernmental Agreement (IGA), Contract No. HG352193, with Arizona Department of Health Services. The amendment is effective from December 13, 2006 through December 31, 2007. This amendment increases the total award for this contract term to \$1,870,898 for immunization services to children ages two and under, and to design a plan to increase coverage levels, and implement activities that will aid in increasing coverage levels. The grant indirect costs are reimbursable at a rate of 18.1%. Full indirect costs are estimated at \$286,734, all of which all are recoverable.

Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$351,679. Additional partial appropriation adjustment is needed in FY 2006-07 because the additional award is greater than the budgeted amount of \$583,770. The appropriations adjustment is necessary because these funds were not included in the FY 2006-07 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8603089207)

**25. AMENDMENT TO IGA FOR FOLIC ACID DISTRIBUTION AND EDUCATION SERVICES**

Approve Amendment No. 2 to the intergovernmental agreement (IGA) (HG361277) with the Arizona Department of Health Services to the Department of Public Health for folic acid distribution and education services. This amendment serves to update the scope of work, change the contract from a cost reimbursement basis to a fixed price basis, and replace the price sheet of Amendment No. 1 with the new price sheet for the budget term ending June 30, 2007, for a total amount of \$54,875. Maricopa County's indirect rate for the FY 2006-07 is 18.1%. Indirect costs are fully recoverable and are estimated at \$8,410.

Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$54,875. The appropriations adjustment is necessary because these funds were not included in the FY 2006-07 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8603134202)

**26. AMENDMENT TO IGA FOR TUBERCULOSIS CONTROL AND PREVENTION**

Approve Amendment No. 5 to the intergovernmental agreement (HG352247) between the Arizona Department of Health Services and Department of Public Health (MCDPH) for tuberculosis control and prevention. The amendment start date is February 13, 2007 for the budget term January 1, 2007 to December 31, 2007. The amendment provides \$217,206 for this budget term. MCDPH's indirect rate is 18.1%. This grant allows for the full indirect rate estimated at \$33,289, all of which is recoverable. The above revenue and expenditures were included in the FY 2006-07 budget recommendation and have also been included in the FY 2007-08 budget submission. (C8603135205)

**27. AMENDMENT TO IGA FOR HIV PREVENTION COMMUNITY PLANNING GROUP**

Approve Amendment No. 3 to the intergovernmental agreement (IGA) between Arizona Department of Health Services (ADHS) (HG454516) and the Department of Public Health for the HIV Prevention Community Planning Group. The amendment provides \$73,500 for calendar year 2007. Public Health's indirect rate for FY 2006-07 is 18.1%. ADHS only allows 10% indirect for this grant. Total indirect is estimated at \$12,094 of which \$6,690 is recoverable according to the IGA price sheet and \$5,404 is unrecoverable. These funds were included in the FY 2006-07 budget and the FY 2007-08 budget submission. (C8604069203)

**28. AMENDMENT TO IGA FOR TEEN PREGNANCY PREVENTION PROGRAM**

Approve Amendment No. 2 to intergovernmental agreement (IGA), No. HG554225, with the Arizona Department of Health Services (ADHS) for the Department of Public Health's Teen Pregnancy Prevention Program. This amendment is to correct the error in Amendment No. 1 of this agreement, which contained an incorrect price sheet. The price sheet contained in this amendment is the correct one for the FY 2006-07. This amendment does not change the total contract dollar amount of \$128,136 but makes adjustments among line items. The Maricopa County Department of Public Health's indirect cost rate for FY 2006-07 is 18.1%. Indirect costs are fully recoverable and estimated to be \$20,459 per ADHS price sheet. No appropriations adjustment is required by this action. (C8605904202)

**29. WELL WOMAN HEALTHCHECK PROGRAM SERVICES**

Approve the following amendments to provide Well Woman Healthcheck Program services to uninsured or underinsured women:

- a. Approve increased funding for Amendment No. 8 to the intergovernmental agreement (IGA) with the Arizona Department of Health Services (HG361201). This increases the grant amount by \$137,103. Total funding for the term ending June 30, 2007 will increase from \$439,588 to an amount not to exceed \$576,691. This provides additional funding for screening and diagnostic services. This grant was previously approved on the 2006 Letter of Intent C86060433LI – item #25 on March 1, 2006; with Amendment No. 8 being signed by the Chairman on July 14, 2006. The current approved indirect rate for the Department is 18.1%; however, this grant's indirect costs are reimbursable at a rate of 10% of Personnel Services and Employee Related Expenses only. Full indirect costs are estimated at \$2,172 of which an estimated \$1,200 is recoverable and an estimated \$972 is unrecoverable. Sub-recipient expenses in the amount of \$123,903 are not eligible for indirect charges.

Approve revenue and expenditure appropriation adjustments to the Public Health Grant Fund (Department 860, Fund 532) associated with the aforementioned grant in an amount of \$137,107. The appropriations adjustment is necessary because these funds were not included in the FY 2006-07 budget. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, and therefore expenditures of these revenues are not prohibited by the budget law. The approval of this budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to A.R.S. §42-17105. (C8603099208)

- b. Approve Amendment No. 3 to the intergovernmental agreement (IGA) C86060231 with the Arizona Board of Regents d.b.a. Arizona State University – Community Health Services Clinic. This amendment increases the contract dollar amount by \$30,000. Total funding for the contract term ending June 30, 2007, will increase from \$100,000 to an amount not-to-exceed \$130,000. All other terms and conditions of the original contract shall remain in full force and effect. Arizona Board of Regents d.b.a. Arizona State University – Community Health Services Clinic was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on June 10, 2005 (PH ROQ 05-008). (C8606023103)
- c. Approve Amendment No. 3 to Contract No. C86060281 Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center. This amendment increases the contract dollar amount by \$15,000. Total funding for the contract term ending June 30, 2007, will increase from an amount not-to-exceed \$75,000 to an amount not-to-exceed \$90,000. All other terms and conditions of the original Contract shall remain in full force and effect. Catholic Healthcare West d.b.a. St. Joseph's Hospital and Medical Center was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on July 1, 2005 (PH ROQ 05-010). (C8606028103)
- d. Approve Amendment No. 5 to Contract No. C86070041 with Mountain Park Health Center. This amendment increases the contract dollar amount by \$20,200. Total funding for the contract term ending June 30, 2007, will increase to an amount not-to-exceed \$73,571. All other terms and conditions of the original contract shall remain in full force and effect. Mountain Park Health Center Inc. was a successful respondent to a Review of Qualifications (MC1-348) issued by the Maricopa County Department of Public Health on June 10, 2005 (PH ROQ 05-008). (C8607004101)

**31. AMENDMENT TO IGA FOR THE HOMELESS CLINIC**

Approve Amendment No. 1 to the intergovernmental agreement (IGA) with Maricopa Special Health Care District d.b.a. Maricopa Integrated Health Systems d.b.a. Maricopa Health Plan (MHP) and the Department of Public Health's Health Care for the Homeless Clinic (HCH). This amendment allows MHP to bill Medicare for clients as well as Arizona Health Care Cost Containment System. HCH does not bill Medicare, so this amendment will not have any affect on HCH billing procedures. The term of this amendment is January 1, 2008 through September 30, 2009. All other terms and conditions of the original Contract shall remain in full force and effect. This agreement is non-financial and will not affect the county general fund. (C8606052201)

**32. AGREEMENT FOR STUDENT LEARNING EXPERIENCES**

Approve the affiliation agreement entitled, "Affiliation Agreement Between Maricopa County, by and for its Department of Public Health and State University of New York, by and for its Campus at Oneonta" with the State University of New York, by and for its campus at Oneonta to allow students from the Dietetics program to participate in learning experiences at the Maricopa County Department of Public Health. The agreement is non-financial. The term is retroactive to January 1, 2007 and does not expire; however, it may be terminated by either party with 90 days' notice. (C8607045000)

**33. AGREEMENT FOR ADJUNCT STAFF ADVISORS**

Approve the affiliation agreement entitled, "Adjunct Staff Agreement" with Midwestern University (MWU) – Glendale Campus to allow faculty from MWU to serve as adjunct staff advisors at the Department of Public Health. The agreement is non-financial. The term begins on March 1, 2007,

and extends through June 30, 2009; however, it is automatically renewed and extended each year, or unless otherwise terminated as provided for in the agreement. (C8607046000)

**34. PARTNERSHIP AGREEMENT FOR MATERNAL AND CHILD HEALTH PRACTICES**

Approve a non-financial partnership agreement between Maricopa County, through the Department of Public Health, and Sunnyslope Family Services Center Community Council and John C. Lincoln Health Network d.b.a. The Sunnyslope Youth and Family Partnership to establish a collaboration to promote best maternal and child health practices in the Sunnyslope area. The term of the agreement begins upon full execution of this document through December 31, 2007. This agreement is non-financial and will not affect the county general fund. (C8607047000)

**35. SCHOOL-BASED TOBACCO USE PREVENTION AND EDUCATION SERVICES**

Approve the amendments to the following intergovernmental agreements that provide school-based tobacco use prevention and education services for the Maricopa County Department of Public Health. These amendments are effective upon execution by both parties:

- a. Amendment No. 1 to Agreement C86074182 with the Deer Valley Unified School District. The amendment will increase the amount of the agreement by \$38,000 from \$19,500 to not-to-exceed \$57,500. (C8607418201)
- b. Amendment No. 1 to Agreement C86074202 with the Liberty Elementary School District. The amendment will increase the amount of the agreement by \$2,000 from \$5,500 to not-to-exceed \$7,500. (C8607420201)
- c. Amendment No. 1 to Agreement C86074622 with the Fowler School District. The amendment will increase the amount of the agreement by \$2,000 from \$8,000 to not-to-exceed \$10,000. (C8607462201)

**ASSISTANT COUNTY MANAGER - COMMUNITY SERVICES**

**Human Services**

**36. AMENDMENT TO CONTRACT WITH FOUNDATION FOR SENIOR ADULT LIVING, INC.**

Approve Amendment No. 7 to the contract with the Foundation for Senior Adult Living, Inc., (FSAL), a non-profit organization, to increase contract funding in the amount of \$181,155 (from \$1,154,636 to \$1,335,791) for the operation of the low-income home weatherization and repair and/or replacement of utility related appliances and heating/cooling systems. Program funding resources are provided to Maricopa County by Arizona Public Service, Southwest Gas, the Arizona Department of Commerce/Energy Office and the Arizona Department of Economic Security. There is no long term commitment on the part of Maricopa County to continue this program. Continuation of this program is based on the availability of continued funding. There are no County General funds involved in this contract. The period of performance for this contract remains unchanged from July 1, 2006, to June 30, 2007. The funding for this amendment represents an increase in Arizona Department of Commerce/Energy office funds and a decrease in Arizona Department of Economic Security funding. The additional funding will provide weatherization services to 50 additional low-income households living in Maricopa County. (C2205085107)

**37. SPECIAL TRANSPORTATION SERVICES PROGRAM**

Approve the intergovernmental agreement (IGA) with Regional Public Transportation Authority (RPTA) to provide subsidized funding for the Maricopa County Human Services Department Special Transportation Services Program. Funding to be provided in the amount of up to \$133,655.00 will be used to provide full reimbursement of transportation services to American with Disabilities Act (ADA) certified residents. The period of performance under this contract is from February 1, 2006, through June 30, 2007. The revenues generated for this purpose were designated through Proposition 400 passed in November 2004 as a part of the regional transportation tax. There are no county funds included in this contract. For the period July 1, 2006 to June 30, 2007, it is estimated that the county may request reimbursement from RPTA up to a maximum of \$133,655.00 for ADA para-transit service in Maricopa County. This amount is contingent upon approval of RPTA's FY 2006-07 budget by the RPTA Board of Directors. All overhead/indirect costs are allowable and the FY 2006-07 authorized rate will be applied to this contract. A Grant Agenda Indirect Cost Calculation form provides detail on indirect cost recovery. The funding requested will not exceed \$133,655.00 in total. The Department's authorized indirect cost rate of 16.5% will be applied and total estimated indirect costs are \$18,929.68. (C2207125300)

**38. FUNDS FROM VARIOUS FEDERAL, STATE AND PRIVATE SECTOR SOURCES**

Authorize the Maricopa County Human Services Department Community Services Program to submit eight funding applications to various federal, state and private sector sources. Also, authorize the Chairman to approve the receipt of all such funds awarded during FY 2007-08 as a result of the corresponding grant requests. Unless otherwise indicated all overhead/indirect costs are allowable and the FY 2007-08 authorized rate will be applied to the respective grants. The funding requested will not exceed \$15,000,000 in total. The department's FY 2006-07 authorized indirect cost rate of 16.5% will be applied and total estimated indirect costs are \$923,433. Programs to be supported by the funding include: (C22080403ZZ)

- WIA Title 1B - Adult, Dislocated Worker (60%), and Youth WIA Title 1B – Dislocated Worker Services (40%)
- Incumbent / Dislocated / Unemployed Worker Training Services
- TANF JOBS Services
- Youth Readiness Services State of Arizona Summer Youth Program
- One Stop Infrastructure Building Program
- One Stop Capacity Building Services

**Parks and Recreation**

**39. TRANSFER EXPENDITURE AUTHORITY FOR LAKE PLEASANT OPERATION HEADQUARTERS HVAC UPGRADE**

Pursuant to A.R.S. §42-17106B, approve a transfer of expenditure authority in the amount of \$100,000 between the General Government (470) Grants Fund (249) and the Parks and Recreation (300) Lake Pleasant Fund (240). This action will require an expenditure appropriation adjustment **decreasing** the FY 2006-07 General Government (470) Grants Fund (249) by \$100,000 and **increasing** the FY 2006-07 Parks and Recreation Department (300) Lake Pleasant Fund (240) by \$100,000. These adjustments will result in a county wide net financial impact of zero. This funding is available in the Lake Pleasant Fund balance for one-time expenditure to increase the funding for Lake Pleasant Operation Headquarters HVAC upgrade from \$165,000 to \$265,000 as recommended by the engineering study. (C3007009801) (ADM3200-003)

**40. CONSTRUCTION MANAGER AT RISK CONTRACTS**

- a. Approve and execute a Construction Manager at Risk (CMAR) contract between Maricopa County through the Parks & Recreation Department (MCPRD) and DL Norton, Inc. for the MCPRD Restroom Improvements Phase 3 (Function REST), and to serve as the general contractor if the guaranteed maximum price is not more than 10% over the independent estimate. The project includes two restrooms each at McDowell and Utery Mountain Regional Parks. The funds to pay for the contracted amount will be from the General Fund County Improvement Fund (445) as adopted in the FY 2006-07 County Budget on June 19, 2006. (C3007020500)
- b. Approve and execute a Construction Manager at Risk (CMAR) design phase services contract between Maricopa County through the Parks & Recreation Department (MCPRD) and DL Norton, Inc. for the MCPRD Visitor Centers and Amphitheaters (Function VAMP). The funds to pay for the contracted amount will be from the General Fund County Improvement Fund (445) as adopted in the FY 2006-07 County Budget on June 19, 2006. (C3007021500)

**41. APPROPRIATION ADJUSTMENT INCREASING THE PARKS SOUVENIR FUND**

Approve an appropriation adjustment increasing the FY 2006-07 Parks Souvenir Fund (Dept 300 Fund 239) revenue budget by \$25,000 to reflect additional revenue, an appropriation adjustment increasing the FY 2006-07 Parks Souvenir Fund (Dept 300 Fund 239) expenditure budget by \$25,000 to increase the Transfer Out to the Parks Enhancement Fund (Dept 300 Fund 241), an appropriation adjustment increasing the FY 2006-07 Parks Enhancement Fund (Dept 300 Fund 241) revenue budget by \$25,000 for the Transfer In from the Parks Souvenir Fund (Dept 300 Fund 239), and appropriation adjustments decreasing revenues and expenditures in the Eliminations Fund (Dept 300 Fund 900) by \$25,000 to offset the fund transfer. These actions will allow for an increase in the transfer of funds at the end of the fiscal year from the Parks Souvenir Fund (Dept 300 Fund 239) to the Parks Enhancement Fund (Dept 300 Fund 241) in accordance with A.R.S. §11-941 (D). (C3007023800)

**42. AMENDMENT TO AGREEMENT WITH BUREAU OF RECLAMATION, THE CENTRAL ARIZONA WATER CONSERVATION DISTRICT**

Approve an amended subcontract to the long-term agreement (PR-93 283) approved by the Board of Supervisors on April 5, 1993 between the Bureau of Reclamation, the Central Arizona Water Conservation District and Maricopa County. Section 104(d) of the Arizona Water Settlements Act, Pub.L.108-451, directed the Secretary of the Interior to offer amended subcontracts for Central Arizona Project municipal and industrial (M&I) priority water. The amended subcontract provides for permanent service of Colorado River water with an initial delivery term of 100 years. All costs associated with M&I water service will be reimbursed by contract concessionaires. There is no additional financial impact to the Department. (C3007024200)

**CHIEF FINANCIAL OFFICER**

**Animal Care & Control Services**

**43. ADMINISTRATIVE CORRECTION**

Approve an administrative correction to action taken February 7, 2007 under C7907044100 regarding the Make A Difference agreement to correct the \$4,000 payable amount to \$5,500. (C7907044101)

**44. KENNEL PERMIT**

Approve the following kennel permit for Christine Sutton, d.b.a. Love & Fluff Kennels, 8591 W. Oregon Avenue, Glendale, AZ 85305, for the term of March 21, 2007 through March 20, 2008. The cost of a kennel permit is \$328. (Supervisory District 4) (C7907067C00) (ADM2304)

**45. KENNEL PERMITS RENEWALS**

Approve the following kennel permit renewals for the term of March 21, 2007 through March 20, 2008:

- a. Marilyn Domhoff, d.b.a. Shante Afghans, 6824 W. Karen Lee Lane, Peoria, AZ 85352, Permit #405. The cost of a kennel permit is \$328. (Supervisory District 4) (C7907058C00) (ADM2304)
- b. Elias Chapa, d.b.a. Chapa Kennels, 3007 N. 37th Street, Phoenix, AZ 85018, Permit #421. The cost of a kennel permit is \$328, plus a return trip charge of \$49; totaling \$377. (Supervisory District 2) (C7907059C00) (ADM2304)
- c. Teri Williams, d.b.a. Williams Kennels, 1687 S. Villas Lane, Chandler, AZ 85248, Permit #317 for the term of March 21, 2007 through March 20, 2008. The cost of a kennel permit is \$328, plus a return trip charge of \$49; totaling \$377. (Supervisory District 1) (C7907065C00) (ADM2304)
- d. Annette Clendenen, d.b.a. Clendenen Kennels, 5416 S. Wintersburg Road, Tonopah, AZ 85354, Permit #397; and, Angel & Tomasa Acosta, d.b.a. Acosta Kennels, 3807 W. Pierce Street, Phoenix, AZ 85009, District 5, Permit #318 for the term of March 21, 2007 through March 20, 2008. The cost of a kennel permit is \$328. (Supervisory District 5) (C7907066C00) (ADM2304)

**46. NEW HOPE PROGRAM ANIMAL RESCUE**

Approve an Agreement between Amazing Aussies Lethal White Rescue of Arizona, a 501 (c) 3 non-profit, 3505 E. Fairfield Circle, Mesa, AZ 85213, and Maricopa County to allow Amazing Aussies Lethal White Rescue of Arizona under the New Hope Program to rescue animals that have been deemed eligible for the New Hope program. Maricopa County will provide a rabies vaccination, dog license tag and new owner transfer fee within the first year of rescue for each dog three months of age or older at no cost to the contractor. The cost for these services is \$27 for each animal rescued. Animal Care & Control estimates six new hope rescues over the term of the agreement, for a total of \$162. The term of this agreement is from March 21, 2007 through March 20, 2010. (C7907060100)

**47. DONATIONS**

Approve the acceptance of the following donations to Maricopa County Animal Care & Control for the care and well being of the animals. Donation revenue funds are deposited into Fund (573) as they are received:

- a. Tricia Adams of Chandler, AZ in the amount of \$290. (C7907063700) (ADM2300-006)
- b. Roberta Pederson of Phoenix, AZ in the amount of \$400. (C7907064700) (ADM2300-006)
- c. John Teets of Scottsdale, AZ in the amount of \$1,000. (C7907068700) (ADM2300-006)

**Finance**

**48. FUND TRANSFERS; WARRANTS**

Approve regular and routine fund transfers from the operating funds to clearing funds including payroll, journal entries, allocations, loans, and paid claims and authorize the issuance of the appropriate related warrants. Said warrants and claims are recorded on microfiche retained in the Department of Finance in accordance with the Arizona State Department of Library Archives and Public Records retention schedule, and are incorporated herein by this reference.

**49. RESOLUTION**

Adopt a resolution which would authorize financing on a lease-purchase basis of the acquisition and improvement of property, and:

- o Authorize the sale of certain County properties to the Maricopa County Public Finance Corporation, a nonprofit corporation;
- o Authorize and approve the execution and delivery of a lease purchase agreement providing for the lease and purchase by Maricopa County of these certain County properties, a trust agreement for the issuance of Lease Revenue Bonds, Series 2007 (not to exceed \$125 million), an acquisition agreement, a continuing disclosure agreement and offering documents relating to the bonds;
- o Authorize the sale of the Lease Revenue Bonds; and (F23229)
- o Authorize and appropriate proceeds from the Lease Revenue Bonds to fund the construction of the Durango Animal Care Facility, Southeast Justice Center, Southwest Justice Center, San Tan Justice Court, acquisition of the One West Madison property, acquisition of land for the Southwest Justice Center, and improvements to the Central Court building for RCC/EDC courtrooms. (C1807027800) (ADM1800)

**50. GRANT OF RIGHT OF ENTRY - TOWN OF QUEEN CREEK FOR GEOTECHNICAL ANALYSIS**

Approve granting of a Right of Entry to the Town of Queen Creek that will allow geotechnical analysis on a portion of an access road at the Queen Creek Landfill. A previously approved intergovernmental agreement with the Town of Queen Creek (C6704001201) provided that the Town of Queen Creek must develop a park on adjacent land sold by the county to the town. This Right of Entry will allow the town to perform surveying and testing of the access road area to insure that no buried trash will be disturbed, prior to installation of a sewer line required for the park. The Right of Entry will be granted for a nominal charge of \$10. If the testing results are acceptable, a subsequent Board approval will be required for granting a permanent Sewer Line Easement. (C1807028B00) (ADM810)



**51. ANNUAL ADJUSTMENT TO INMATE BOOKING AND HOUSING FEES**

Approve the annual adjustment to the inmate booking and housing fees charged to other jurisdictions for the use of Maricopa County jails. The effective date of this adjustment will be July 1, 2007. The inmate booking fee will increase from \$163.64 to \$189.23 per inmate booked; the inmate housing fee will increase from \$62.29 to \$72.33 per day. (C1807029800) (ADM3911)

**52. RESOLUTION**

Adopt a resolution which would:

- Authorize the refinancing of properties originally financed through the issuance by the Maricopa County Public Finance Corporation of its Lease Revenue Bonds, Series 2001, (F22891)
- Authorize and approve the execution and delivery of replacement documents to or documents modifying the Series 2001 trust indenture, lease-purchase agreement, continuing disclosure agreement and bond offering and sale documents,
- Authorize the issuance and sale refunding bonds by the Maricopa County Public Finance Corporation to permit savings to Maricopa County from reduced lease payments. (C1807030800) (F22891)

**Materials Management**

**53. SOLICITATION SERIALS**

Approve the following solicitation serial items. The action on the following items is subject to Civil Division's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

**Award**

- 06112-S      Electronic Security Systems, Maintenance/Repair and Parts (\$5,000,000 estimate/three years with three one-year renewal options)** Price agreement to provide Electronic Security Devices maintenance, repair and parts procurement.
- Norment Security Group, Inc.
- 07002-C      Aggregate Materials (\$4,500,000 estimate/three years with three one-year renewal options)** Price agreement to purchase aggregate materials for use by the Department of Transportation in roadway maintenance.
- LaFarge North America
  - MDI Rock
  - Mesa Materials
  - Rinker Materials
  - Vulcan Materials
- 07003-C      Asphaltic Concrete Mix (\$4,500,000 estimate/three years with three one-year renewal options)** Price agreement to purchase asphaltic concrete mix for use by the Department of Transportation in maintenance of roadways.
- Mesa Materials
  - Rinker Materials
  - Vulcan Materials

**Renewals/Extensions:**

It is recommended that the Board of Supervisors approve the renewal/extension of the following contracts: (These are recommended with the concurrence of the using agencies and the vendors, upon satisfactory contract performance and, when appropriate, after a market survey is performed).

**Until May 31, 2010**

- 03255-C      Traffic Signing Materials (\$1,200,000 estimate/three years)** Price agreement renewal to provide traffic signage materials for highway maintenance as requested by the Department of Transportation.
- 3M Company-Traffic Signing
  - Zap Manufacturing Inc.
  - Zumar Industries

**Until June 30, 2010**

- 03191-LOI      Mental Health Services/Maricopa County Superior Court II (\$3,000,000 estimate/three years)** Price agreement renewal which provides mental health services to Maricopa County Superior Court as requested by Health Care Mandates and Maricopa County Superior Court.

David Biegen Ed.D	Patricia I Johnson Ph. D
Arrowhead Medical Plaza II	
Robert A Block Ph. D	Daniel B Juliano Ph. D
Neuropsychology Associates	Martin B Kassell M.D.
Lorna Gale Cheifetz Psy.D	Gwen A Levitt D.O.
Michael Cofield Ph. D	Deborah Joy Lewis
Bennette Dawson	Jay H. Lucas, Ph. D
Deborah Desprois	Margaret E. Marshall, Ph. D
John P Dibacco Ph. D PC	Roger M Martig Ph. D
Celia A Drake PhD PC	Comprehensive Psych Services
Joseph J Franzetti M.D.	John A Moran Ph. D PC
Forensic Counseling and Evaluations PLLC	Joel E Parker M.D. PC
Scottsdale Psychiatric Services	Carl J Patrasso Psy D
D J Gaughan Ph. D	Catherine O'Connell PC
Psychological & Consulting	Jack Potts MD
Anne E Harris Ph. D	Julio A Ramirez Ph. D
Sara M Hill Ph. D	Scott Sindelar Ph. D PC

Added 12/14/06 (effective 7/1/04)	Cancelled 3/21/07 (effective 7/01/07)
Biltmore Evaluation	Added 11/12/04)
John J. Toma, Ph. D	Donna R Cross
(Added 11/12/04)	George M Delong
Maria Dennis	Pamela Drapeau MD
Jeffrey Lee Trollinger	Erika Kao PhD
(Added 04/20/06)	Susan Downs Parrish PhD
Joanne M. Babich	Jane M Stapleton
John H. Raney M.D.	Vector Center
James S. Thal, Ph. D	
James Younjohn	
Richard Rosengard D.O	

**CAPA APPROVAL**

The following individuals have successfully completed training provided by Materials Management and will be able to conduct nominal value procurements in selected areas for their individual agencies in accordance with the approved Certified Agency Procurement Aide Policy and Procedures.

Clerk of Superior Court  
Lisa Keller

Facilities Management  
Leroy Gashwazra  
Frank Mann  
Jason Scott

Internal Audit  
Wendy Thiele

Sheriff's Office  
Jennifer Hargrave  
Jeannette Sims  
Zhi Zeng

Superintendent of Schools  
Josie Griego

**ASSISTANT COUNTY MANAGER - REGIONAL DEVELOPMENT SERVICES**

**Air Quality Department**

**54. SETTLEMENT**

Approve the proposed settlement offer of \$7,800 from the Tolleson Union High School District No. 214 for violations of the Maricopa County Trip Reduction Ordinance. On November 7, 2006, the Travel Reduction Program (TRP) Regional Task Force reviewed the compliance status of the Tolleson Union High School District No. 214 and voted to seek enforcement penalties. On February 6, 2007, the TRP Regional Task Force agreed to recommend the acceptance of a \$7,800 settlement offer from Tolleson Union High School District No. 214. The proceeds will be deposited into Air Quality's General Fund. This item was discussed in Executive Session on March 19, 2007. (C8507018300) (ADM2356)

**Emergency Management**

**55. EMERGENCY ALERT SYSTEM**

Approve the Maricopa County/Pinal County Local Area plan for the Emergency Alert System. The Chairman of the Board of Supervisors will sign the plan for Maricopa County; other signatories are the Chairman of the Pinal County Board of Supervisors, the National Weather Service, the three local primary radio stations, and the co-chairs of the Arizona State Emergency Communications Committee. The plan will be valid until superseded by an updated version. There is no cost to the county, and no revenue will be generated. (C1503006002)

**56. EMERGENCY RESPONSE PLAN**

Approve the Maricopa County/State of Arizona Palo Verde Offsite Emergency Response Plan. The plan will be valid until superseded by an updated version. The plan will be effective March 1, 2007. There is no cost to the county and no revenue will be generated. (C1507006000) (ADM903)

## **Environmental Services**

### **57. AMENDMENT TO FULL SERVICE LEASE WITH KBS PHOENIX I, LLC, LESSOR**

Retroactively approve and execute the first amendment to full service lease No. L7311 with KBS Phoenix I, LLC, Lessor, for 5,110 square feet of office space located at 1255 W. Baseline, Suite 257 and 270, Mesa, AZ. This amendment will adjust the rental rate for the current lease term, amend the original space agreement to include 1,651 sq. ft of new office space, identify the required tenant improvements, and extend the term of the existing lease from January 28, 2007 to January 27, 2012, with an option to renew for one additional three year term. The lease contains a 180-day termination provision and a six-month holdover provision. The rental rate is: (C8802009401)

<b>Months</b>	<b>Rate</b>	<b>Monthly</b>	<b>Annual</b>
1-12	\$18.50/sf	\$7,877.92	\$94,535.00 plus rental tax
13-24	\$19.00/sf	\$8,090.83	\$97,090.00 plus rental tax
25-36	\$19.50/sf	\$8,303.75	\$99,645.00 plus rental tax
37-48	\$20.00/sf	\$8,516.67	\$102,200.00 plus rental tax
49-60	\$20.50/sf	\$8,729.58	\$104,755.00 plus rental tax

### **58. CONTRACT WITH MVD FOR MOTOR VEHICLE RECORDS**

Approve a contract between Maricopa County, via the Environmental Services Department, and Arizona Department of Motor Vehicles (MVD) to allow Environmental Services authorization to receive motor vehicle records from MVD using the Motor Vehicle Record Request System. The contract will go into effect immediately upon the signature of the Chairman of the Maricopa County Board of Supervisor's and the Director of MVD. The contract is effective for a period of three years when the parties may mutually agree to extend the term of the agreement for another three (or fewer) years by entering into a "Joint Letter of Renewal". The cost of this contract is zero dollars. (C8807005000)

## **Facilities Management**

### **59. CHANGE ORDER TO CONTRACT WITH CONCORD GENERAL CONTRACTING**

Approve Change Order No. 11 to Contract C7004039800, Concord General Contracting, in the amount of \$1,287,582. This contract is for the continued design build and related professional and construction services for the Phase IV renovation of the Security Building. This work includes remodel of the 4th and 5th floors providing new office space for Risk Management and moving Public Fiduciary out of lease space. (C7004039807)

### **60. CHANGE ORDER TO THE DESIGN-BUILD CONTRACT WITH SAHARA CONSTRUCTION**

Approve Change Order No. 2 to the Design-Build contract with Sahara Construction for the Maricopa County Santan Consolidated Justice Courts Project #1612-05-062 in the amount of \$245,075. The project is located in Chandler between Chicago Street, Delaware Street and Frye Road south of the existing Chandler Police/Municipal Court parking. Change Order No. 2 reflects the replacement of the water line that is located in the alley on the west side, the change of carpet to linoleum for clerk revisions, the increased cost of asphalt, the additional cost for the PX6.4 x-ray machine, the addition of landscape benches; delayed egress and card readers to two doors, and the City of Chandler impact fees for water service. (C7005020502)

**61. AMENDMENTS TO THE FY 2006-07 MAJOR MAINTENANCE PROGRAM**

Pursuant to A.R.S. §42-17106(B), authorize the following amendments to the FY 2006-07 Appropriated Fund Balance (480) General Fund (100) Major Maintenance (4832) Program:

- a) Increase FY 2005-06 projected expenditures to final actual expenditures for the East Courts Infrastructure Improvements (EELL) project by \$352,972 from \$1,782,000 to \$2,134,972, and adjust the project budget by decreasing Year 1 (FY2006-07) by \$352,972, from \$7,418,000 to \$7,065,028.
- b) Increase FY 2005-06 projected expenditures to final actual expenditures for the Durango Juvenile Infrastructure Improvements (DDII) project by \$659,603 from \$175,000 to \$834,603 and adjust the project budget by decreasing Year 1 (FY2006-07) by \$659,603 from 2,148,000 to \$1,488,397.
- c) Increase FY 2005-06 projected expenditures to final actual expenditures for the Apache Lake (ALSO) project by \$114,486 from \$37,000 to \$151,486 and adjust the project budget as follows: decrease Year 1 (FY2006-07) by \$114,486 from \$846,000 to \$731,514.
- d) Increase FY 2005-06 projected expenditures to final actual expenditures for the MCSO Bartlett Lake Substation Improvement (BLSO) project by \$336,377 from \$66,000 to \$402,377 and adjust the project budget by decreasing Year 1 (FY 2006-07) by \$336,377 from \$1,299,000 to \$962,623.
- e) Increase FY 2005-06 projected expenditures to final actual expenditures for the Canyon Lake (CLSO) project by \$134,420 from \$45,000 to \$179,420 and adjust the project budget as follows: decrease Year 1 (FY 2006-07) by \$134,420 from \$795,000 to \$660,580.
- f) Increase FY 2005-06 projected expenditures to final actual expenditures for the Lake Pleasant Improvements (LPISO) project by \$182,054 from \$62,000 to \$244,054 and adjust the project budget by decreasing Year 1 (FY 2006-07) by \$182,054 from \$518,000 to \$335,946.
- g) Increase FY 2005-06 projected expenditures to final actual expenditures for the Elections Warehouse (ELWA) project by \$2,917 from \$4,000 to \$6,917 and adjust the project budget by decreasing Year 1 (FY 2006-07) by \$2,917 from \$367,000 to \$364,083.
- h) Increase FY 2005-06 projected expenditures to final actual expenditures for the Durango Building Demolition (DUBD) project by \$44,441 from \$15,000 to \$59,441 and adjust the project budget by decreasing Year 1 (FY 2006-07) by \$44,441 from \$274,000 to \$229,559.
- i) Decrease FY 2005-06 projected expenditures to final actual expenditures for the Southeast Reg Infrastructure Improvements (SICU) project by \$7,784 from \$292,000 to \$284,216 and adjust the project budget by increasing Year 1 (FY 2006-07) by \$7,784 from \$75,000 to \$82,784.

Also, per A.R.S. §42-17106(B), approve the FY 2006-07 transfer of expenditure authority in the amount of \$1,819,486 from the Appropriated Fund Balance (480) General Fund (100) to the General Government (470) Grant Fund (249).

The requested action reconciles projected and actual FY 2005-06 project expenditures. (C7007036000) (ADM800-003)

**62. AMENDMENTS TO THE FY 2006-07 MAJOR MAINTENANCE PROGRAM**

Pursuant to A.R.S. §42-17106(B), authorize the following amendments to the FY 2006-07 Appropriated Fund Balance (480) Detention Fund (255) Major Maintenance (4832) Program:

- a) Decrease FY 2005-06 projected expenditures to final actual expenditures for the Durango Juvenile Infrastructure Improvements (DDII) project by \$402,201 from \$750,000 to \$347,799 and adjust the project budget by increasing Year 1 (FY 2006-07) by \$402,201 from \$1,790,000 to \$2,192,201.
- b) Increase FY 2005-06 projected expenditures to final actual expenditures for the Southeast Juvenile Infrastructure Improvements (SJUI) project by \$976,440 from \$195,100 to \$1,171,540 and adjust the project budget by decreasing Year 1 (FY 2006-07) by \$976,440 from \$1,967,000 to \$990,560.
- c) Decrease FY 2005-06 projected expenditures to final actual expenditures for the Towers Jail Infrastructure Improvements (TIJU) project by \$136,254 from \$800,000 to \$663,746 and adjust the project budget by increasing Year 1 (FY 2006-07) by \$136,254 from \$1,698,000 to \$1,834,254.
- d) Decrease FY 2005-06 projected expenditures to final actual expenditures for the Estrella Jail Infrastructure Improvements (EJIS) project by \$207,987 from \$1,055,900 to \$847,913 and adjust the project budget by increasing Year 1 (FY 2006-07) by \$207,987 from \$1,313,100 to \$1,521,087.
- e) Decrease FY 2005-06 projected expenditures to final actual expenditures for the Lower Buckeye Jail Central Plant (LBJP) project by \$55,232 from \$88,000 to \$32,768 and adjust the project budget by increasing Year 1 (FY 2006-07) by \$55,232 from \$3,563,500 to \$3,618,732.
- f) Increase FY 2005-06 projected expenditures to final actual expenditures for the Durango Jail Infrastructure Improvements (DDJS) project by \$41,000 from \$234,000 to \$275,000 and adjust the project budget by decreasing Year 1 (FY 2006-07) by \$41,000 from \$41,000 to \$0.

Also per A.R.S. 42-17106(B), approve the FY 2006-07 transfer of expenditure authority in the amount of \$215,766 from the Appropriated Fund Balance (480) Detention Fund (255) to the General Government (470) Grant Fund (249).

The requested action reconciles projected and actual FY 2005-06 project expenditures. (C7007037800) (ADM800-003)

**63. CONSTRUCTION MANAGER AT RISK CONTRACT WITH D.L. WITHERS CONSTRUCTION**

Approve and authorize the execution of Construction Manager at Risk (CMR) Contract No. FMD-07-029 with D.L. Withers Construction, L.C., of Phoenix, Arizona, in the amount of \$3,477,696 to provide survey, grading and site remediation for the Buckeye Hills Shooting Park. At this time, it is anticipated that approximately three additional Guaranteed Maximum Price (GMPs) and contracts will be presented at future dates. The additional GMP construction phases of the contract will be presented to the Board of Supervisors for their approval prior to start of construction. (C7007038500)

## Planning and Development

### 64. AMEND PREVIOUS BOARD ACTION REGARDING TRANSFER OF EXPENDITURE AUTHORITY

Approve an amendment to agenda item C4407004000 approved on September 25, 2006 by the Board of Supervisors (amended language in quotes).

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority between Planning & Development Department (440) Planning & Development Fees Fund (226) and various Regional Development Services Constellation Departments and Funds.

This action will require an expenditure appropriation adjustment **increasing** the FY 2006-07 Planning & Development (440) Planning & Development Fees Fund (226) by \$95,028. The action will also require **decreasing** the following FY 2006-07 budgets by the indicated amounts:

Emergency Management (150) General Fund (100)	\$850
Department of Transportation (640) Transportation Operations (232)	\$36,738
Solid Waste (680) Waste Tire (290)	\$519
Solid Waste (680) Solid Waste Management Fund (580)	\$543
Facilities Management (700) General Fund (100)	\$11,769
Facilities Management (700) Detention Operations Fund (255)	\$2,294
Equipment Services (740) Equipment Services Fund (654)	\$3,408
Air Quality (850) General Fund (100)	\$534
Air Quality (850) Air Quality Fees Fund (504)	\$7,481
Environmental Services (880) General Fund (100)	\$11,136

Subsequently, per A.R.S. § 42-17106(b), approve the transfer of expenditure authority between Planning & Development Department (440) Planning & Development Fees Fund (226) and the following:

General Government (470) General Fund (100) General Contingency (4711)

"General Government (470) Detention Fund (255) General Contingency (4711)"

General Government (470) General Government Grant Fund (249) General Government Grants (4711).

This action will require an expenditure appropriation adjustment decreasing the FY 2006-07 Planning & Development (440) Planning & Development Fees Fund (226) by \$95,028 and increasing the FY 2006-07 General Government (470) General Fund (100) General Contingency (4711) by \$24,289,"increasing FY 2006-07 General Government (470) Detention Fund (255) General Contingency (4711) by \$2,294", and General Government (470) General Government Grant Fund (249) General Government Grants (4711) by \$68,445.

During FY 2006-07 budget development, Planning and Development and the Office of Management and Budget agreed to approve the final budget for newly created Regional Development Services positions (Public Information Officer, Chief Information Officer, and Administrative Director) at the high end of their respective market ranges. These salaries were then allocated appropriately throughout the RDS constellation. After all the positions have been filled and salaries and benefits determined, there is a \$95,028 in savings that can be deducted from the Planning & Development budget and the various other constellation agency budgets and reappropriated. Approval of this action will allow for this reappropriation. These adjustments will result in a countywide net impact of zero. (Subject to approval of Human Resources) (C4407004002) (ADM3400-003)

## **Solid Waste**

### **65. ENGINEERING SERVICES FOR CLOSURE OF THE QUEEN CREEK LANDFILL**

Authorize Solid Waste Management Department (SWMD) to retain Hogue & Associates, Consulting Engineers to provide engineering services to assist in the closure of the Queen Creek Landfill. FY2007-08 expenditures in this agenda item are contingent upon the Board approving the recommended FY 2007-08 budget. Total contract value is not-to-exceed \$414,767. (C6707005100)

## **Transportation**

### **66. EASEMENT, RIGHT-OF-WAY, AND RELOCATION ASSISTANCE DOCUMENTS**

Approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors' action. (The list is on file in the Clerk of the Board's office.) (ADM2007)

### **67. ADDITION OF PROJECT AND CORRESPONDING EXPENDITURE BUDGET**

Pursuant to A.R.S. §42-17106 (B), approve the addition of Project T187, Gilbert Road: Loop 202 to Pecos Road with a corresponding expenditure budget of \$815,500 to the FY 2006-07 Transportation Improvement Program (TIP), Department of Transportation (640), Transportation Capital Projects Fund (234), Year 1:

with a budget of.

Also, approve an amendment to the current FY 2007-11 five-year CIP for Fund (234) – Transportation Capital Projects Fund adopted by the Board on June 19, 2006, by **decreasing** the FY 2006-07 (Year 1) capital budget for the following projects: (Supervisory District 1) (C6407184200) (ADM2000-003)

<b>Project Number</b>	<b>Project Name</b>	<b>Capital Budget</b>
T006	Unallocated Force Account	\$500
T098	Williams Field Road: Gilbert-Lindsay	\$190,000
T102	Williams Field Road at Higley Road	\$35,000
T128	67th Avenue: Pinnacle Peak-Happy Valley Road	\$100,000
T176	Low Volume Roads Program	\$75,000
T177	7th Street: Carefree Hwy-Desert Hills	\$240,000
T186	Indian School Road: Old Litchfield-Dysart	\$100,000
T214	SR303 Off-Ramp at Grand Avenue	\$35,000
T224	Ellsworth Road: Hunt Highway-south of Chandler Heights Road	\$40,000

### **68. ROAD FILES VACATE AND ABANDON**

Adopt resolutions to approve the following road file abandonments:

- a. Resolution AB-143R to abandon a portion of 43rd Avenue in the vicinity of 43rd Avenue and Elliot Road, per A.R.S. §28-7214, which was acquired by Maricopa County according to Book 5 of Road Maps, Page 33 and recorded by the Maricopa County Recorder on August 8, 1945. This action amends the previous action of the Board taken on December 6, 2006 (C6407129000) that purported to extinguish this easement but contained an incorrect legal description of the property. (Supervisory District 1) (C6407129001)



- b. Resolution AB-174 to abandon portions of 31st Avenue in the vicinity of 31st Avenue and Cloud Road, per A.R.S. §28-7214, by extinguishing the easements which were conveyed to Maricopa County by means of an Easement and Agreement for Roadway Purposes recorded by the Maricopa County Recorder as record numbers 2001-0376287, 2001-0376288, 2001-0376293, 2001-0376299, 2002-0033139, 2005-0946746, 2005-1367415, Docket 14250, Pages 825-826 and Docket 9489, Pages 150-151. (Supervisory District 3) (C6407181000)
- c. Resolution AB-140 to abandon a portion of Duane Lane in the vicinity of Duane Lane and 56th Street, per A.R.S. §28-7214, which was conveyed to Maricopa County by means of an easement for highway purposes on July 16, 1971, and recorded by the Maricopa County Recorder as Docket 8825, Pages 321 and 322. (Supervisory District 3) (C6407185000)

**69. ANNEXATIONS OF COUNTY RIGHTS-OF-WAY**

Approve the following annexations by:

- a. Town of Buckeye of County right-of-way within Southern Avenue between Miller Road and Apache Road, in accordance with Ordinance No. 88-06. (Supervisory District 5) (C6407182000)
- b. City of Goodyear of County right-of-way within Camelback Road from Perryville Road to Cotton Lane, Indian School Road from Perryville Road to Citrus Road, Citrus Road from Indian School Road to Camelback Road and Perryville Road from Indian School Road to Camelback Road, all in accordance with Ordinance No. 2006-1023. (Supervisory District 4) (C6407187000)

**70. IMPROVEMENTS TO INTERSECTION OF 89TH AVENUE AND WILLIAMS ROAD**

Approve the intergovernmental agreement between Maricopa County and City of Peoria for improvements to the Intersection of 89th Avenue and Williams Road. The Board of Supervisors by Resolution in May 2002 approved the implementation of the Transportation Advisory Board (TAB) Special Project Fund authorized by Maricopa County Department of Transportation (MCDOT) Policy T113, to respond to proposed projects that TAB considers worthy of funding, but are not programmed in MCDOT's Transportation Improvement Program. TAB awarded the City of Peoria \$100,000. (Supervisory District 4) (C6407188200)

**71. BIDS AND AWARD FOR MCDOWELL MOUNTAIN ROAD: TOWN OF FOUNTAIN HILLS CITY LIMITS TO FOREST ROAD**

Approve the solicitation of bids for McDowell Mountain Road: Town of Fountain Hills City Limits to Forest Road, MCDOT Project No. T108; and approve the award to the lowest responsive bidder, provided that the lowest responsive bid does not exceed the engineer's estimate by 10%. Approval of this agenda item is contingent upon the Board adopting the recommended FY 2007-08 and FY 2008-09 budgets. This project consists of widening the existing pavement by five feet on each side of the roadway to create room for bicycle lanes on this popular bicycle route. Federal funds will be used to help pay for the construction. (Supervisory District 2) (C6407189500)

## **BOARD OF SUPERVISORS**

### **Clerk of the Board**

#### **72. APPOINTMENTS**

- a. **Building Code Advisory Board** – Reappoint Vince Territo, Licensed Architect and Robert Ghan, Licensed Engineer, whose term is effective from March 31, 2007 through March 30, 2011. (C0607063900) (ADM3414-001)
- b. **Citizens' Transportation Oversight Committee** – Appoint Jeffrey Schwartz, representing Supervisorial District 2, whose term is effective from the date of Board approval through March 20, 2010. (C0607070900) (ADM2047-001)
- c. **Aggregate Mining Operation Zoning District Recommendation Committee** – Accept the resignation of Larry Walker and appoint C.R. Herro, representing Industry Members, who will fill the unexpired term effective from the date of Board approval through October 5, 2007. (C0607071900) (ADM3441)

#### **73. REGIONAL SCHOOL DISTRICT #509 VOUCHERS/WARRANTS**

The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services as shown in the Vouchers. (ADM3814-003)

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

## **SETTING OF HEARINGS**

~All hearings will be held at 205 W. Jefferson, Phoenix, unless otherwise noted~

### **Clerk of the Board**

#### **74. FRANCHISE**

- a. Pursuant to A.R.S. §40-283, set a public hearing for 9:00 a.m. on Wednesday, April 18, 2007, to solicit comments and consider the application by Eagletail Water Co., LLC, for a public service franchise for a domestic water distribution system. The hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, the franchise will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. Upon approval, authorize the Chairman to sign the Franchise Resolution. (C0607067700) (F23228)
- b. Pursuant to A.R.S. §40-283, set a public hearing for 9:00 a.m. on Wednesday, April 18, 2007, to solicit comments and consider the application by Water Utility of Northern Scottsdale, for an extension to an existing public service franchise for a domestic water distribution system. The hearing will consider whether the applicant is able to adequately maintain facilities in county rights-of-way. Pending approval by the Board of Supervisors, the franchise will be granted upon the express condition that the Certificate of Convenience and Necessity be procured from the Corporation Commission of the State of Arizona within six months of approval by the Board of Supervisors and that no facilities will be installed prior to the granting of the Certificate of Convenience and Necessity. Upon approval, authorize the Chairman to sign the Franchise Resolution. (C0607072700) (F22986)

### **Transportation**

#### **75. ROAD FILE DECLARATION**

Set a public hearing to declare the following roads into the county highway system for 9:00 a.m., Wednesday, April 18, 2007:

**Road File No. 5354.** In the vicinity of Deer Valley Drive and 151st Avenue. (Supervisory District 4) (C6407186000)

### **Planning and Development**

#### **76. CASES**

Schedule Planning and Development public hearings on zoning cases.

## **CONSENT AGENDA**

### **Clerk of the Board**

- 77. Industrial Development Authority** – These items are being considered by the Board of Supervisors solely to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended, and the requirement of A.R.S. §35-721B, that the Board approve the proceedings under which bonds of the Industrial Development Authority of the County of Maricopa are issued: (ADM4792)
- a. Adopt Resolution granting approval to The Industrial Development Authority of the County of Maricopa Health Facility Revenue Bonds (Catholic Healthcare West), Series 2007 to be issued in one or more series, in an aggregate principal amount not to exceed \$225,000,000. (C0607073A00) (ADM4792)
  - b. Adopt Resolution granting approval to The Industrial Development Authority of the County of Maricopa Multifamily Housing Revenue Bonds (Bell Lakes Apartments Project), Series 2007 to be issued in one or more series, in an aggregate principal amount not to exceed \$33,000,000. (C0607074A00) (ADM4792)
  - c. Adopt Resolution approving the proceedings of The Industrial Development Authority of the County of Maricopa for the re-issuance of its \$53,000,000 maximum aggregate principal of Multifamily Housing Senior Revenue Bonds (National Voluntary Health Facilities II Project), Series 1998A. (C0607075A00) (ADM4792)
- 78. ASRS Claims** – Authorize payment of claims submitted by the Arizona State Retirement System, on behalf of current or former employees regarding contributions not withheld for purposes of participation in the Arizona State Retirement System. Amounts may be recalculated employer payments to show accrued interest payments. (Claims are on file in the Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule.) (ADM3309-001)
- 79. Appointments** – Approve the following Official Appointments for the:
- Clerk of the Board - Dennis "Shane" Wikfors as Limited Duty Special Deputy Clerk
  - County Records Office - Richard Acuna, Gary Bilotta, Jessica Brown, Greg Bunce, and Anthony Mares as Deputy Recorder.
- 80. Canvass of Elections** – Pursuant to A.R.S. §16-642(B), accept the canvasses of elections submitted by special districts as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.
- 81. Classification Changes** – Approve the Assessor's recommendation pursuant to A.R.S. §42-12054, that the Board change classification and/or reduce the valuation of certain properties which are now owner-occupied. (List is on file in the Clerk of the Board's Office and retained in accordance with ASLAPR approved retention schedule.) (ADM723)
- 82. Donations** – Accept the donation reports received from county departments for February 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1810) Include on the second agenda of every month.

83. **Duplicate Warrants** – Necessary affidavits having been filed, pursuant to A.R.S. §11-632, approval and ratification is requested for duplicate warrants issued to replace county warrants and school warrants which were either lost or stolen. (The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1823) (ADM3809)
84. **Minutes** – Approve the minutes of the Board of Supervisors meetings held September 5, 2006, September 18, 2006 and November 1, 2006.
85. **Minutes Corrections** – Accept the typographical corrections to the Board of Supervisors' minutes. (List is on file in the Clerk of the Board's Office.) (ADM726-001)
86. **Minutes Corrections** - Correct the minutes of November 1, 2006, item number C1807009100, to reflect the correct dollar amount listed in the minutes as the total project expenditure budget amount. The dollar amount is changed from \$91,5000,000 to \$91,500,000.
87. **Precinct Committeemen** – Pursuant to A.R.S. §16-821, authorize the appointment and cancellation of appointment of Precinct Committeemen. The list is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM1701)
88. **Property Re-Classification Appeal Cases**
- Pursuant to A.R.S. §42-12052, approve the property owner's appeal to re-classify properties, which has satisfied the requirements of occupancy status, and re-classify properties to class three properties (owner occupied). Waive assessed penalties and liens. Direct the County Assessor to re-classify properties to class three (owner occupied), pursuant to A.R.S. §42-12003. (ADM310-001)
  - Pursuant to A.R.S. §42-12052, deny the property owner's appeal to re-classify properties, which has not satisfied the requirements of occupancy status, and maintain property classification at class four property (non-owner occupied). The class four property classification (non-owner occupied), remains in effect. (List is on file in the Clerk of the Board's Office.) (ADM310-002)
89. **Secured Tax Roll Corrections** – Approve requests from the Assessor for corrections of the Secured Tax Rolls. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM705)
90. **Settlement of Tax Cases** – Approve the settlement of tax cases dated March 21, 2007. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM704)
91. **Stale Dated Warrants** – The Board of Supervisors finds that claims presented, pursuant to A.R.S. §11-644, are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (A list of claims is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM1816)
92. **Tax Abatements** – Approve requests for tax abatements from the Treasurer's Office pursuant to A.R.S. §41-18353. (List is on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule.) (ADM708)

## **FLOOD CONTROL DISTRICT AGENDA**

**FCD-1.** Approve minutes of meeting held September 18, 2006 and November 1, 2006.

**FCD-2.** Approve Flood Control District Personnel Agenda (Exhibit C).

**FCD-3.** Approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

**FCD-4. AMEND PREVIOUS BOARD ACTION REGARDING TRANSFER OF EXPENDITURE AUTHORITY**

Approve an amendment to agenda item C4407004000 approved on September 25, 2006 by the Board of Supervisors.

Pursuant to A.R.S. §42-17106(b), approve the transfer of expenditure authority between Planning & Development Department (440) Planning & Development Fees Fund (226) and various Regional Development Services Constellation Departments and Funds.

This action will require an expenditure appropriation adjustment **increasing** the FY 2006-07 Planning & Development (440) Planning & Development Fees Fund (226) by \$95,028. The action will also require **decreasing** the following FY 2006-07 budgets by the indicated amounts: (C4407004002) (ADM1900-003) (Subject to approval of Human Resources.)

Flood Control (690) Flood Control Operations Fund (991)	\$19,756
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## **LIBRARY DISTRICT AGENDA**

**LD-1.** Approve the minutes of meeting held November 1, 2006.

**LD-2.** Approve Library District Personnel Agenda (Exhibit D).

**LD-3. DONATIONS**

- a. Accept the donation reports received for February 2007 as on file in the Clerk of the Board's office and retained in accordance with ASLAPR approved retention schedule. (ADM2800-006)
- b. Approve and accept a donation of a Ro-go Ball Wall Mount valued at \$2,581.56 from the Friends of the George L. Campbell Branch Library to the Campbell Branch Library and a donation of Brodart display shelving valued at \$2,290.10 from the Fountain Hills Library Association (Friends) to the Fountain Hills Branch Library. Total value of the material is \$4,871.66. (C6507018000)
- c. Approve the acceptance of a donation of fiction books and music CDs valued at \$1,363.85 and 62 ESL materials valued at \$1,997.27 from the Friends of the Southeast Regional Library to the Southeast Regional. Total value of the material is \$3,361.12. (C6507021000)

**LD-4. GRANT FOR LANGUAGE TRANSLATION SOFTWARE**

Approve the acceptance of a grant from The Arizona State Department of Education not-to-exceed the amount of \$18,406 to the Library District in support of extending usage statewide of a language translation software product known as Rosetta Stone. The agreement takes effect upon filing with the Secretary of State through October 31, 2008. The parties shall have the right to renew in one-year increments, or any portion thereof, not to exceed a total agreement term of five years.

Also, increase revenues and expenditures in the Library District (650), Fund (242) in the amount of \$18,406. The District's indirect cost recovery rate is 8.66%. Indirect costs are not recoverable. (C6507020300)

**LD-5. UPDATED MEETING ROOM POLICY**

Approve an updated Meeting Room Policy for the Library District. The District's Meeting Room Policy has been updated to ensure it meets all current laws concerning meeting rooms used by community groups in public libraries. The revised policy addresses issues of who can use rooms, how often, for what purpose, and liability concerns. The Board of Directors may establish a fee for use of a Meeting Room. (C6507022600) (ADM2808)

**LD-6. SOLE SOURCE CONTRACT FOR ELECTRONIC MESSAGING SYSTEM**

Approve a sole source contract with Interface Electronics for a not-to-exceed amount of \$150,000 for the purchase of a POTOMAC Electronic Messaging System. Action on this item is subject to County Counsel's review and approval of the final contract and subsequent execution of the contract. (C6507024100)

**LD-7. DONATION**

Accept a donation from Joanne Harris of a 9" Mounted Sailfish, caught by the late Harlan Harris, former Director of Equipment Services, for placement in one of the Library District facilities. (ADM103)

**STADIUM DISTRICT AGENDA**

**SD-1.** Approve minutes of meeting held November 1, 2006.

**SD-2.** Approve Stadium District Personnel Agenda (Exhibit E).

**SD-3. SURPLUS AND DISPOSITION OF FIXED ASSETS**

Declare as surplus and authorize the disposition of fixed assets such as suite furniture, building materials and equipment that are no longer needed for operations of Chase Field. Authorize the utilization of an internet auction process as described below for the disposition of remaining surplus items.

Authorize the sale of certain items of the surplus property, as designated on the list on file in the Clerk's Office to the Human Services Campus, LLC, a charitable non-profit corporation for the sum of \$1.00, to be used for the specific purposes of the corporation, in accordance with the District Procurement Code Section MCI-803(E). THIS ACTION REQUIRES A UNANIMOUS ROLL CALL VOTE. (C6807010100) (ADM5500)

## **CALL TO THE PUBLIC AND SUMMARY OF CURRENT EVENTS**

93. Public comment on matters pertaining to Maricopa County government. Please limit comments to two to three minutes. Note that pursuant to the Arizona Open Meeting Law, Board members may not discuss matters raised under this public comment portion of the meeting; however, an individual Board member may respond to criticism made by those who have addressed the Board, ask staff to review an issue raised or may ask that the matter be placed on a future agenda. (Public comment is at the discretion of the Chairman.) (ADM605)
94. Supervisors'/County Manager's summary of current events. (ADM606)

**\*\*\*The Board of Supervisors will now consider Code Enforcement Reviews.\*\*\***

**Please note that these matters are of a quasi-judicial nature and the Board will review the Hearing Officer's decision in each case to determine if sufficient evidence was presented to the Hearing Officer to support the decision and whether a procedural error may have occurred.  
New evidence is not considered at these hearings.**

## **CODE ENFORCEMENT REVIEW**

- PZ-1. Allan and Heidi Sherman** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2003-01459, Allan and Heidi Sherman. (Supervisory District 1) (ADM3417-043)
- PZ-2. David Benefield** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2006-00282, David Benefield. (Supervisory District 1) (ADM3417-044)
- PZ-3. Jose and Julia Serrano** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2005-01957, Jose and Julia Serrano. (Supervisory District 4) (ADM3417-045)
- PZ-4. Linda Fincher** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2004-00763, Linda Fincher. (Supervisory District 2) (ADM3417-046)
- PZ-5. Charles and Jean Roderick** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2005-00708, Charles and Jean Roderick. (Supervisory District 4) (ADM3417-047)
- PZ-6. Jerry Mitchell** – This is the time for the review of the Hearing Officer's Order of Judgment in Zoning Code Violation Case No. V2005-01983, Jerry Mitchell. (Supervisory District 2) (ADM3417-048)

**\*\*\*The Board of Supervisors will now consider matters related to Planning and Zoning.\*\*\***



## **PLANNING AND ZONING AGENDA**

### **CONSENT AGENDA:** **(Detailed below)**

1. Z2006-166, Major Amendment to the R1-10 zoning district, located east of Perryville Road, between Camelback Road and Bethany Home Road (in the Glendale area) (District 4)
2. S2005-015, Final Plat in the R1-6 RUPD zoning district, located near Happy Valley Road and Vistancia Boulevard (in the north Peoria area) (District 4)
3. S2006-040, Final Plat in the R1-10 RUPD zoning district, located at the northwest corner Maryland Avenue & 125th Avenue (in the Glendale area) (District 4)
4. S2006-068, Final Plat in the R1-6 RUPD zoning district, located north of the northwest corner of Deer Valley Road and Veterans Drive (in the Sun City West area) (District 4)

### **REGULAR AGENDA:** **(Detailed below)**

5. Z2005-049, Special Use Permit (SUP) for an educational facility for disabled adults and teenagers in the Rural-43 zoning district, located south of Country Gables Drive and east of 83rd Avenue (in the north Peoria area) (District 4) **(Requires a  $\frac{3}{4}$  super-majority vote for approval)**
6. Z2006-021, Rezone from Rural-43 to R1-35, located at the northeast corner of Tuthill Road and Narramore Road (in the Rainbow Valley Area) (District 5) (Continued from 02-07-07)
7. Z2006-054, Rezone from C-2 PD to C-2 CUPD, Major Amendment to the C-2 CUPD zoning district, Precise Plan of Development in the C-2 CUPD zoning district, and removal of a Special Use Permit (SUP) for a mini-warehouse, located west of Arizona Avenue and south of Riggs Road (in the Chandler area) (District 1)
8. S2005-084, Preliminary Plat in the Rural-43 zoning district, with road waivers for realignment of arterial rights-of-way along section lines, located at the northwest corner of 231st Avenue and Patton Road (in the Wittmann/Surprise area) (District 4)

**NOTE: The following case must be continued to the Board of Supervisors hearing of April 4, 2007 due to property not being posted. (Case information not included in the Agenda detail)**

9. Z2001-013, Revoke a Special Use Permit (SUP) for a single-wide manufactured home in the Rural-43 zoning district, located approximately 660' east of 351st Avenue and 330' south of Baseline Road (in the Tonopah area) (District 4)

### **CONSENT AGENDA DETAIL:**

1. **Z2006-166**      District 4  
  
Applicant:      Element Homes for Apex Capital, Standard Pacific Homes, Lennar, and Element Homes  
Location:      East of Perryville Road, between Camelback Road and Bethany Home Road (in the Glendale area)  
Request:      Major Amendment to the R1-10 zoning district (approximately 160 acres) – Savannah

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2006-166, subject to stipulations “a” through “h”. Commissioner Makula seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development of the site shall be consistent with the zoning exhibit entitled “Zoning Exhibit for Savannah”, consisting of one (1) full-size sheet, dated revised February 6, 2007, and stamped received February 8, 2007, except as modified by the following stipulations.
- b. Development of the site shall comply with the narrative report entitled “A Rezoning Exhibit, Savannah, A Residential Neighborhood”, consisting of eight (8) pages, dated revised January 24, 2007 and stamped received January 24, 2007 except as modified by the following stipulations.
- c. The development shall remain in compliance with stipulations from Z2002107 and S2004049, as applicable.
- d. The master developer shall notify future homeowners that they are located within the state-defined “territory in the vicinity of a military airport” with the following language:

“You are buying a home or property in the ‘vicinity of a military airport’ as described by State of Arizona statute ARS §28-8481. Your house should include sound attenuation measures as directed by State law. You will be subject to direct over flights and noise by Luke Air Force Base jet aircraft in the vicinity.

Luke Air Force Base executes over 200,000 flight operations per year, at an average of approximately 170 overflights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight training areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends.

For further information, please check the Luke Air Force Base website at [www.luke.af.mil/urbandevelopment](http://www.luke.af.mil/urbandevelopment) or contact the Maricopa County Planning and Development Department.”

Such notification shall be recorded on all Final Plats, be permanently posted on not less than a 3 foot by 5 foot sign in front of all home sales offices, be permanently posted on the front door of all home sales offices on not less than an 8½ inch by 11 inch sign, and be included in all covenants, conditions, and restrictions (CC&Rs) as well as the Public Report and conveyance documents.

- e. All habitable buildings constructed within this subdivision shall be constructed to attain a noise reduction level as per ARS § 28-8482(B).
- f. Major changes to the zoning exhibit and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by

the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.

- g. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- h. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

2.     **S2005-015**     District 4

Applicant:     Coe and Van Loo, on behalf of Standard Pacific Homes  
Location:     Near Happy Valley Road and Vistancia Boulevard (in the north Peoria area)  
Request:     Final Plat in the R1-6 RUPD zoning district for Coldwater Ranch Estates, Unit 3 (approximately 36.3 gross acres)

3.     **S2006-040**     District 4

Applicant:     Maracay Bethany Estates II & Maracay Homes  
Location:     Northwest corner of Maryland Avenue and 125th Avenue (in the Glendale area)  
Request:     Final Plat in the R1-10 RUPD zoning district for Falcon View Subdivision (approximately 29.53 gross acres)

4.     **S2006-068**     District 4

Applicant:     Larry Aungst  
Location:     North of the northwest corner of Deer Valley Road and Veterans Drive (in the Sun City West area)  
Request:     Final Plat in the R1-6 RUPD zoning district for Fitzpatrick Ranch (approximately 4.96 gross acres)

**REGULAR AGENDA DETAIL:**

5.     **Z2005-049**     District 4  
          **(requires a  $\frac{3}{4}$  super-majority vote for approval)**

Applicant:     One Step Beyond, Inc. for Jim & Ellie Rio.  
Location:     South of Country Gables Drive and east of 83rd Avenue (in the north Peoria area)  
Request:     Special Use Permit (SUP) for an educational facility for disabled adults and teenagers in the Rural-43 zoning district (approximately 1.02 acres) – One Step Beyond, Inc.

**COMMISSION ACTION:** Commissioner Jones moved to recommend approval of Z2005-049, subject to stipulations “a” through “v”. Commissioner Aster seconded the motion, which passed with a unanimous vote of 7-0.

- a.     Development of the site shall comply with the site plan entitled “One Step Beyond Inc., Stepping Out Training Program for Disabled Young Adults”, consisting of one (1) full-size

sheet, dated revised December 29, 2006, and stamped received January 8, 2007, except as modified by the following stipulations.

- b. Development of the site shall be in conformance with the narrative report entitled "Application for Special Use Permit One Step Beyond Inc., Stepping Out Training Program for Disabled Young Adults" consisting of nine (9) pages, dated revised November 26, 2006 and stamped received November 29, 2006, except as modified by the following stipulations.
- c. The hours of operation for the facility shall be limited to 8:00 AM to 5:00 PM, Monday through Friday and no more than three (3) special events per year to end no later than 9:30 PM.
- d. The number of students shall be limited to 15 for each program with a maximum of 5 employees.
- e. No structures, landscaping, fence, wall, or terrace or other obstruction to view in excess of two feet in height as measured from the centerline of the street shall be placed within the required 25-foot sight visibility triangles.
- f. There shall be no off-site parking permitted for day to day operations of the facility. All facility functions with the potential to generate more parking requirements than spaces currently provided within the facility shall be held off of the premises with the exception of three (3) special events to be held per year. Parking for the social event shall be accommodated within the facility and the surplus within the parking area provided by the adjacent church.
- g. All trees shall be double-staked when installed.
- h. A continuous parapet shall screen all roof-mounted equipment.
- i. The following Maricopa County Department of Transportation (MCDOT) stipulation shall be adhered to:
  - Pave drives in County right-of-way to property line on Country Gables Drive
- j. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground-mounted or screened from view.
- k. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- l. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- m. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.

- n. Prior to zoning clearance, developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- o. This Special Use Permit shall expire five (5) years from the date of approval by the Board of Supervisors.
- p. The applicant shall submit a written report outlining the status of the development at the end of one (1) year from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether the Special Use Permit remains in compliance with the approved stipulations.
- q. The owner shall notify future owners that they are located within the State-defined "Territory in the Vicinity of a Military Airport" with the following language:

"You are buying property in the 'vicinity of a military airport' as described by State of Arizona statute ARS §28-8481. Habitable buildings should include sound attenuation measures as directed by State law. You will be subject to direct over flights and noise by Luke Air Force Base jet aircraft in the vicinity

Luke Air Force Base executes over 200,000 flight operations per year, at an average of approximately 170 overflights per day. Although Luke's primary flight paths are located within 20 miles from the base, jet noise will be apparent throughout the area as aircraft transient to and from the Barry M. Goldwater Gunnery Range and other flight training areas.

Luke Air Force Base may launch and recover aircraft in either direction off its runways oriented to the southwest and northeast. Noise will be more noticeable during overcast sky conditions due to noise reflections off the clouds.

Luke Air Force Base's normal flying hours extend from 7:00 a.m. until approximately midnight, Monday through Friday, but some limited flying will occur outside these hours and during most weekends.

For further information, please check the Luke Air Force Base website at [www.luke.af.mil/urbandevelopment](http://www.luke.af.mil/urbandevelopment) or contact the Maricopa County Planning and Development Department."

- r. All habitable buildings shall be constructed to attain a noise reduction level as per ARS § 28-8482(B).
- s. Major changes to the Special Use Permit (site plan and narrative report), or the stipulations of approval, shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the Special Use Permit may require a new Citizen Participation Process as determined by the Planning and Development Department.
- t. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with the Maricopa County Zoning Ordinance.

- u. Non-compliance with the regulations administered by the Maricopa County Environmental Services Department, Maricopa County Department of Transportation, Drainage Review Division, Planning and Development Department, or the Flood Control District of Maricopa County may be grounds for initiating a revocation of this Special Use Permit as set forth in the Maricopa County Zoning Ordinance.
- v. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

6. **Z2006-021** District 5  
(Continued from 02-07-07)

Applicant: ARCADIS G&M, Inc. for Estrella 160, LLC  
Location: Northeast corner of Tuthill Road and Narramore Road (in the Rainbow Valley area)  
Request: Rezone from Rural-43 to R1-35 (approximately 160 acres) – Aurora Valley

**COMMISSION ACTION:** Commissioner Aster moved to recommend approval of Z2006-021, subject to the following stipulations “a” through “i”. Commissioner Makula seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall comply with zoning exhibit, Preliminary Plat, and conceptual landscape plan entitled “Zoning Exhibit for Aurora Valley and Zoning Case Z2006021 and Preliminary Plat Subdivision Case S2006011” consisting of four (4) full-size sheets, dated revised October 19, 2006, and stamped received October 19, 2006, except as modified by the following stipulations.
- b. Development of the site shall be in conformance with the narrative report entitled “Aurora Valley Narrative for Rezone from Rural-43 to R1-35 and Preliminary Plat”, consisting of thirty-seven (37) pages, dated revised October 19, 2006, stamped received October 19, 2006, except as modified by the following stipulations.
- c. The following Maricopa County Department of Transportation (MCDOT) stipulations shall apply:

Provide a total half-width of 65’ right-of-way on Tuthill Road and Narramore Road.

The applicant shall make a contribution to regional transportation infrastructure. The contribution shall be \$3,281.00 per dwelling unit. The applicant may choose to construct off-site street improvements in lieu of payment of this contribution. An area study shall be provided to determine the regional transportation needs and the appropriate contribution. Roadways shall meet County standards in effect at the time they are improved. If the applicant chooses not to construct off-site regional roadway improvements, the applicant shall pay the contribution amount at the time individual building permit are issued, or per an alternate agreement as approved by MCDOT.

Provide all-weather access to subdivision.

Any landscaping in County right-of-way must meet Chapter 9 (Roadway Design Manual).

- d. All trees shall be double-staked when installed.

- e. A continuous parapet shall screen all roof-mounted equipment.
- f. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be ground mounted.
- g. All interior streets within the proposed development are to be constructed to minimum County standards.
- h. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) for landscaping or other improvements in the right-of-way.
- i. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- j. Major changes to the zoning exhibit and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.
- k. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- l. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

7. **Z2006-054** District 1

Applicant: Kurt Reed & Associates for Arizona Avenue and Riggs LLC and Holliday Park Realty Corp.  
Location: West of Arizona Avenue and south of Riggs Road (in the Chandler area)  
Request: Rezone from C-2 PD to C-2 CUPD, Major Amendment to the C-2 CUPD zoning district, Precise Plan of Development in the C-2 CUPD zoning district, and removal of a Special Use Permit (SUP) for a mini-warehouse (approximately 15.45 acres) – The Village at Sun Lakes

**COMMISSION ACTION:** Commissioner Pugmire moved to recommend approval of Z2006-054, subject to the following stipulations “a” through “t”. Commissioner Munoz seconded the motion, which passed with a unanimous vote of 9-0.

- a. Development of the site shall comply with the zoning exhibit entitled “Retail Site The Village at Sun Lakes”, consisting of one (1) sheet, dated Aug 28, 2006 and stamped received January 12, 2007, except as modified by the following stipulations. Within thirty (30) days of BOS approval the applicant shall submit a revised plan with the amended CUPD table shown in stipulation “e” of this report.
- b. Development of the site shall be in conformance with the narrative report entitled “Project Narrative for Village at Sun Lakes Retail Site”, consisting of nine (9) pages, dated

(revised) January 10, 2007, and stamped received January 12, 2007, except as modified by the following stipulations. Within thirty (30) days of BOS approval the applicant shall submit a revised narrative with the amended CUPD table shown in stipulation "e" of this report and include as an addendum, building elevations w/partial floor plans of all Shops.

- c. Development of the site shall be in conformance with the landscape plan entitled "PAD 'A" SWC of Riggs Rd & Arizona Ave.", consisting of three (3) pages, dated December 7, 2006, and stamped received January 12, 2007, except as modified by the following stipulations.
- d. Development of the site shall be in conformance with the comprehensive sign package entitled "Comprehensive Sign Plan the Village at Sun Lakes" consisting of 15 pages stamped received January 12, 2007
- e. The following CUPD table shall appear in both the narrative and the site plan.



<b>CUPD Chart</b>			
<b>Regulation</b>	<b>C-2 MCZO Standard</b>	<b>C-2 CUPD Approved (Z2000146)</b>	<b>C-2 CUPD proposed</b>
Average Lot Area/Dwelling Unit	N/A	1	N/A
Minimum Lot Size	6,000 sq. ft.	644,688 sq. ft.	6,000 sq. ft.
Minimum Lot Width	60'	580'	60'
Maximum Lot coverage	60%	60%	60%
Front yard setback	10'	10'	10'
Rear yard setback	25'	None	None
Side yard setback	10'	10'	10'
Minimum distance between buildings	N/A	N/A	N/A
Maximum building height/stories	40'/3 stories	40'/1	36'/1
Screen Walls	6' rear 3' parking screen walls 6' trash enclosure walls	N/A	N/A
Parking	1:250 s.f. 1: 100 sq. ft. outdoor dining	T.B.D.	1:250 sq. ft. floor 1:100 sq. ft. outdoor dining
Accessible Parking Loading/unloading	5" provided 1:25,000 sq. ft.	11	5% of provided 7
Signage  Arizona Ave  Riggs Rd. Height of sign Wall Signs	3 signs 150 sq. ft. max per sign not to exceed 200 ft. aggregate 1 sign 150 sq. ft. max 24' 15% bldg front face	50' sq. ft. one side & 400 sq. ft. aggregate  14' per MCZO	See sign package  Maximum 14' (H) sign on Riggs Rd.

- f. All trees shall be double-staked when installed.
- g. A continuous parapet shall screen all roof-mounted equipment.
- h. All transformers, back-flow prevention devices, utility boxes and all other utility related ground mounted equipment shall be painted to complement the development and shall be screened with landscape material where possible. All HVAC units shall be screened.

- i. The applicant shall submit final plans and drainage report to the Arizona Department of Transportation (ADOT) office for their review and comment prior to building permit issuance.
- j. The applicant shall comply with all of the Arizona Department of Water Resources (ADWR) conditions for abandonment of a well. A copy of the Well Owners Notification of Abandonment shall be submitted to the Maricopa County Planning and Development Department prior to final occupancy of the first building of the commercial center.
- k. Development of the site shall comply with Maricopa County Department of Transportation (MCDOT) requirements including the following:
  - Construct ultimate half-width improvements including pavement, curb, gutter and sidewalk on Riggs Road.
  - The applicant must construct all improvements recommended in the MCDOT approved TIS.
- l. Any landscaping in state/county right-of-way must comply with State/County requirements
- m. Prior to issuance of any permits for development of the site, the applicant/property owner shall obtain the necessary encroachment permits from the Maricopa County Department of Transportation (MCDOT) and ADOT for landscaping or other improvements in the right-of-way.
- n. At the time of building permit application, the applicant shall submit a revised Grading and Drainage Plan and Drainage Report with the following revisions:
  - The cover sheet of the Preliminary Drainage Report shall be sealed with signature and date by AZ Civil P.E.
  - Provide a table of contents and references in Preliminary Drainage Report. The table of contents shall be sealed with signature and date by AZ Civil P.E.
  - Revise the Grading and Drainage Plan referenced with the Drainage Report. The basins call out shall agree with drainage basin exhibit. The Plan shall be sealed with AZ Civil P.E. signature and date.
- o. All outdoor lighting shall conform to the Maricopa County Zoning Ordinance.
- p. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department. Prior to issuance of zoning clearance, the applicant shall seek review and comment from the applicable fire protection agency, and shall provide written confirmation that the site will be developed in accordance with their requirements.
- q. Prior to zoning clearance developer(s) and/or builder(s) shall establish emergency fire protection services, covering all real property contained within the project area during course of construction and shall obtain a 'will serve' letter substantiating coverage from the appropriate Fire Department servicing the site.
- r. Major changes to the zoning exhibit and narrative report shall be processed as a revised application, with approval by the Board of Supervisors upon recommendation of the

Planning and Zoning Commission. Minor changes may be administratively approved by the Planning and Development Department. Major changes to the project may require a new Citizen Participation Process as determined by the Planning and Development Department.

- s. Noncompliance with the conditions of approval will be treated as a violation in accordance with the Maricopa County Zoning Ordinance. Further, noncompliance of the conditions of approval may be grounds for the Planning and Zoning Commission to take action in accordance with Chapter 3 (Conditional Zoning).
- t. Property owner and his successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.

8. **S2005-084** District 4

Applicant: R. J. Springer for Peakview Ranch, LLC  
Location: Northwest corner of 231st Avenue and Patton Road (in the Wittmann/Surprise area)  
Request: Preliminary Plat for a 100-lot, 15-tract single-family subdivision, with road waivers for realignment of arterial rights-of-way along section lines, in the Rural-43 zoning district (approximately 160.78 acres) – Peak View Ranch Unit 2

**COMMISSION ACTION:** Commissioner Jones moved to continue S2005-084 to the regular meeting of April 5, 2007. Commissioner Aster seconded the motion, which failed with a vote of 3-4 as follows:

Commissioner Bowers – no	Commissioner Jones – yes
Commissioner Pugmire – no	Commissioner Munoz – yes
Commissioner Barney – no	Commissioner Aster – yes
Chairman Masel – no	

**COMMISSION ACTION:** Commissioner Barney moved to approve S2005-084, subject to stipulations “a” through “u”. Commissioner Pugmire seconded the motion, which failed with a vote of 3-4 as follows:

Commissioner Jones – no	Commissioner Bowers – yes
Commissioner Munoz – no	Commissioner Pugmire – yes
Commissioner Aster – no	Commissioner Barney – yes
Chairman Masel – no	

**COMMISSION ACTION:** Commissioner Pugmire moved to deny S2005-084. Commissioner Munoz seconded the motion, which passed with a unanimous vote of 7-0. Commissioners Barney and Bowers went on record that their votes were only to move the preliminary plat forward to the Board of Supervisors, and that they are supportive of the proposed preliminary plat.

**NOTE: Case information for item 9 is not included in the Agenda detail. This case must be continued to the Board of Supervisors hearing of April 4, 2007 due to property not being posted.**